

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

_____	)	<b>Chapter 11</b>
<b>In re:</b>	)	
	)	<b>Case No. 09-50026 (REG)</b>
<b>GENERAL MOTORS CORP., et al.,</b>	)	
	)	<b>Hon. Robert E. Gerber</b>
<b>Debtors.</b>	)	
_____	)	<b>(Jointly Administered)</b>

**RESPONSE OF NIDEC MOTORS & ACTUATORS TO  
DEBTORS' OBJECTION TO CERTAIN 503(b)(9) CLAIMS  
UNDER THE ORDER PURSUANT TO 11 U.S.C. §§ 105(a) AND 503(b)(9)  
ESTABLISHING PROCEDURES FOR THE ASSERTION, RESOLUTION  
AND SATISFACTION OF CLAIMS ASSERTED PURSUANT TO 11 U.S.C. § 503(b)(9)**

Nidec Motors & Actuators ("Nidec") states for its response to Debtors' Objection to Certain 503(b)(9) Claims Under the Order Pursuant to 11 U.S.C. §§ 105(a) and 503(b)(9) Establishing Procedures for the Assertion, Resolution and Satisfaction of Claims Pursuant to 11 U.S.C. § 503(b)(9) (the "Objection"), as follows:

1. On June 1, 2009 (the "Commencement Date"), the Debtors filed the Motion of Debtors for Entry of Order Pursuant to 11 U.S.C. §§ 105(a) and 503(b)(9) Establishing Procedures for the Assertion, Resolution and Satisfaction of Claims Asserted Pursuant to 11 U.S.C. § 503(b)(9) (the "503(b)(9) Motion") and requested that the Court establish procedures (the "503(b)(9) Procedures") to govern the resolution of potential 503(b)(9) claims ("503(b)(9) Claims"). On the Commencement Date, the Court entered the Order Pursuant to 11 U.S.C. §§ 105(a) and 503(b)(9) Establishing Procedures for the Assertion, Resolution, and Satisfaction of Claims Asserted Pursuant to 11 U.S.C. § 503(b)(9) (the "503(b)(9) Order").

2. Pursuant to the 503(b)(9) Procedures set forth in the 503(b)(9) Order, claimants were required to deliver to the Debtors their proof of claim by the 90<sup>th</sup> day after the commencement date.

3. As required by the 503(b)(9) procedures, Nidec filed its proof of 503(b)(9) claim with the Debtors' claims agent, The Garden City Group, Inc., on August 31, 2009.

4. On October 29, 2009, the Debtors filed the Objection to Nidec's 503(b)(9) claim on the alternate bases that Nidec's 503(b)(9) claim has either (i) been cured through the assumption and assignment process, (ii) is anticipated to be cured through the assumption and assignment process, or (iii) has otherwise been satisfied by General Motors LLC. Currently, Nidec's 503(b)(9) claim has not been cured through the assumption and assignment process nor has it otherwise been satisfied by General Motors LLC. In addition, Nidec has no information and has no assurance that it's 503(b)(9) claim will be cured through the assumption and assignment process.

5. Accordingly, the Debtors cannot limit Nidec's 503(b)(9) claim solely on the basis that such claim is *anticipated* to be cured through the assumption and assignment process.

6. To the extent that the Debtors are attempting to extinguish Nidec's 503(b)(9) claim on the speculative basis that the claim may be cured sometime in the future through the assumption and assignment process, Nidec objects.

WHEREFORE, Nidec Motors & Actuators respectfully requests that the Debtors' Objection to its claim be denied and that this Court grant such further relief as it deems appropriate.

Respectfully submitted,

ERMAN, TEICHER, MILLER, ZUCKER & FREEDMAN, P.C.  
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